

# **STATE PROPERTIES COMMITTEE MEETING**

**TUESDAY, JUNE 10, 2008**

**The meeting of the State Properties Committee was called to order at 10:04 a.m. by Chairman Kevin M. Flynn. Other members present were Robert Griffith representing the Rhode Island Department of Administration; Richard Woolley representing the Rhode Island Department of Attorney General; Robert W. Kay and John A. Pagliarini, Jr., Public Members and Xaykham Khamsyvoravong representing the Rhode Island Office of the General Treasurer, Ex-officio Member. Others in attendance were Anthony Paolantonio from the Rhode Island House of Representatives; Meredith Holderbaum from the Rhode Island Senate Fiscal Office; Paul Carcieri, Daniel Clarke and Maureen McMahon from the Rhode Island Department of Transportation; John Faltus from the Rhode Island Department of Environmental Management; and Sheila C. Harrington from the Law Offices of Sheila C. Harrington.**

**Chairman Flynn noted for the record that the State Properties Committee did have a quorum present.**

**A motion was made to approve the regular minutes of the State Properties Committee held on May 13, 2008, as amended, by Mr. Pagliarini and seconded by Mr. Griffith.**

**Passed Unanimously**

**A motion was made to approve the regular minutes of the State**

**Properties Committee held on May 27, 2008, by Mr. Griffith and seconded by Mr. Kay.**

**Passed Unanimously**

**A motion was made to approve the Executive Session minutes of the State Properties Committee held on May 27, 2008, by Mr. Pagliarini and seconded by Mr. Kay.**

**Passed Unanimously**

**A motion was made to seal the Executive Session minutes of the State Properties Committee held on May 27, 2008, by Mr. Griffith and second by Mr. Woolley.**

**Passed Unanimously**

**The next scheduled meeting of the State Properties Committee will be held on**

**Tuesday, June 24, 2008, at 10:00 a.m.**

**ITEM A – Department of Administration – A request was made for approval of and signatures on a Purchase and Sale Contract by and between the Department of Administration and The Conservation Fund for the sale of 72.5 acres of land located behind the Oliver Stedman Government Center. This item was deferred to a future meeting of the State Properties Committee at the request of the Department of Administration.**

**ITEM B – Department of Labor and Training – A request was made for approval of and signatures on a Purchase and Sale Contract by and between the Department of Labor and Training and the Warren Housing Authority for the sale of property located at 470 Metacom Avenue in the Town of Warren. This item was deferred to a future**

meeting of the State Properties Committee at the request of the Department of Labor and Training.

**ITEM C – Department of Environmental Management –** A request was made for approval of and signatures on a License Agreement by and between the Department of Environmental Management and the City of Newport to utilize Fort Adams State Park for the City's annual fireworks display to be held on July 4, 2008, with a rain date of July 5, 2008. Mr. Faltus explained that this is an annual request that the Department of Environmental Management receives from the City of Newport. There have never been any problems associated with this event. The City of Newport obtains its insurance through the Rhode Island Interlocal Risk Management Trust (the "Trust"). The insurance coverage policy runs on a fiscal year basis from July 1st to June 30th.

Mr. Faltus indicated that a memorandum dated May 15, 2008, indicates that the Trust will provide the Department of Environmental Management with a new certificate of insurance on or before July 1, 2008. Mr. Faltus indicated that the Trust has been very reliable relative to providing the updated certificate of insurance in a timely manner. Therefore, Mr. Faltus respectfully requested that the State Properties Committee approve the License Agreement subject to the updated certificate of insurance being provided to the State Properties Committee on or about July 1, 2008, by Mr. Kay and seconded by Mr. Griffith.

**Passed Unanimously**

**ITEM D – Department of Environmental Management –** A request for approval of and signatures on a License Agreement by and between

the Department of Environmental Management and Interstate Navigation Co. for use of a portion of Pier No. 3 located at Fort Adams State Park to embark and disembark passengers on its Block Island /Newport Ferry. This item was deferred to a future meeting of the State Properties Committee at the request of the Department of Environmental Management.

ITEM E – Department of Transportation – A request was made for approval of and signatures on a Quit Claim Deed and an Agreement to Purchase by and between the Department of Transportation and Marasco & Nesselbush Realty, LLC for the sale of 6,437 square feet of property located on Westminster and Stewart Streets in the City of Providence. Mr. Carcieri explained that the State Properties Committee previously approved a request for proposals soliciting the purchase of 6,437 square feet of property located at the intersection of Westminster and Stewart Streets in the City of Providence. The Department of Transportation received three bids; however Marasco & Nesselbush Realty, LLC was the highest bidder and in fact exceeded the State's appraised value of the property by approximately \$85,000.00. The State of Rhode Island's appraisal valued the property at \$166,000 and Marasco & Nesselbush Realty, LLC bid \$251,500. Mr. Carcieri indicated that the Department of Transportation is before the State Properties Committee seeking approval of and signatures on the Agreement to Purchase and the Quit Claim Deed consummating this transaction. Mr. Carcieri noted that the statutory offers to the former owners have been made. The former owner is in fact deceased. The City of Providence declined to

**exercise its right to purchase the subject property. Mr. Pagliarini asked if there are any underground utilities or easements under the subject property. Mr. Carcieri explained that the Department of Transportation reviewed the utility plan and it showed an existing waterline; however, the conditions of the Quit Claim Deed protect any and all easements of record and utilities of record. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM F – Department of Transportation – A request was made for approval of and signatures on a Permanent Loop Detector Easement Agreement by and between the Department of Transportation and Atwood Medical Property, LLC for the future maintenance and repair of a traffic signal located on Atwood Avenue in the City of Johnston. Ms. McMahon explained that Atwood Medical Property, LLC has obtained approval for the physical alteration permit. Ms. McMahon indicated that there is no monetary value associated with this transaction. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**ITEM G – Department of Transportation – A request was made for approval of and signatures on the Quit Claim Deed and a Grant of Easement by and between the Department of Transportation and the Rhode Island Economic Development Corporation “the RIEDC”) for**

the transfer of property located at the southern corner of Post and Gate Roads in the Town of North Kingstown. Mr. Clarke indicated that he is before the State Properties Committee representing the Department of Transportation on behalf of both the RIEDC and the Quonset Development Corporation (the "QDC"). Mr. Clarke indicated that earlier this year, the Department of Transportation transferred certain parcels of land back to both RIEDC and QDC for the development of the Quonset "Gateway" Project. Subsequently, RIEDC and QDC approached the Department of Transportation relative to transferring the property located on the southerly side of Gate Road. The Department is before the State Properties Committee seeking approval to transfer one of the properties back to RIEDC and QDC gratis, as they initially gave it to the Department for the construction of the Route 403 project. Mr. Clarke indicated that the Department of Transportation will sell Parcel B to RIEDC for fair market value and RIEDC will, in turn, transfer the property to the Boston Partnership Ltd. Mr. Clarke explained that the Department wishes to retain an easement over a 2,386 square feet portion of said property as it contains a portion of the bridge abutment, is landscaped and fairly sloped; however, the Department of Transportation wants to allow the property to be utilized for purposes of on-premise advertising and beautification. Mr. Clarke presented a site map of the subject properties for review by the State Properties Committee and illustrated the location of the subject parcels of land and the surrounding area. Mr. Pagliarini asked if the proposed sign is a monument or pylon sign. Mr. Clarke explained that the proposed

**sign is a curving wall sign. A motion was made to approve by Mr. Woolley and seconded by Mr. Griffith.**

**Passed Unanimously**

**The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-5(a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purpose, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.**

**A motion was made to enter into Executive Session by Mr. Griffith and seconded by Mr. Kay. A roll call vote was taken and the votes were as follows: Mr. Griffith voted “Aye”, Mr. Pagliarini voted “Aye”, Mr. Woolley voted “Aye”; Mr. Kay voted “Aye” and Chairman Flynn voted “Aye”.**

**The State Properties Committee closed the Executive Session and returned to**

**open session at 10:54 a.m.**

**ITEM E1 – Department of Transportation – Submission of updated information regarding ongoing negotiations for the sale and lease of State-owned property located along Forge and Ives Roads in the Town of East Greenwich. No action was required by the State Properties Committee Relative to this item.**

**ITEM E2 – Department of Transportation – A request was made for authorization to acquire temporary easements and property for the**

**reconstruction of West Main Road from Coddington Highway to John Kesson Lane in the Town of Middletown by virtue of Condemnation Plat 952C. After discussion in Executive Session, a motion was made to approve by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

**There being no further business to come before the State Properties Committee, the meeting was adjourned at 11:55 a.m. A motion was made to adjourn by Mr. Griffith and seconded by Mr. Woolley.**

**Passed Unanimously**

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**Holly H. Rhodes, Executive Secretary**